

**RESPONSE TO OFFICE ACTION****Serial No. 09/896,006****Page 7 of 12****REMARKS**

This is intended as a full and complete response to the Office Action dated October 29, 2003. Please reconsider the objections raised therein for reasons discussed below.

**OBJECTIONS TO DRAWINGS****1. Figure 2**

Figure 2 is objected to for including two reference numerals, 204 and 208, that have both been used to designate a stator. In response, the Applicants have amended paragraph [0017] of the specification to describe a "stator 208", replacing the description of a "stator 204". The reference numeral 204 as used in Figure 2 designates a shaft, as described in paragraph [0017] of the specification. Accordingly, the Applicants respectfully request that the objection to Figure 2 be withdrawn.

**2. Figure 3**

Figure 3 has been objected to for failing to include reference numerals, 306A – 306P, that are mentioned in the specification. In response, the Applicants have amended Figure 3 to include the reference numerals "306A – 306P", replacing sixteen individual reference numerals "306", in accordance with paragraph [0018] of the specification. Accordingly, the Applicants respectfully request that the objection to Figure 3 be withdrawn.

**3. Figure 5A**

Figure 5A has been objected to for failing to include reference numerals, 410 and 412, that are mentioned in the specification. In response, the Applicants have amended Figure 5A to include the reference numerals "410" and "412", replacing reference numerals "210" and "212", in accordance with paragraphs [0020] and [0021] of the specification. Accordingly, the Applicants respectfully request that the objection to Figure 5A be withdrawn.

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**4. Figure 5C**

Figure 5C is objected to for including a reference numeral, 512, that has been used in the specification to describe both a "first annular support" and a "trough". In response, the Applicants have amended paragraph [0023] of the specification to describe a "trough 514", replacing the description of a "trough 512".

Figure 5C is further objected to for including a reference numeral, 514, that is not mentioned in the description. However, in light of the above-described amendment to paragraph [0023] of the specification, the Applicants respectfully submit that this objection is moot. Accordingly, the Applicants respectfully request that the objection to Figure 5C be withdrawn.

**5. Figure 5D**

Figure 5D has been objected to for failing to include a reference numeral, 522, that is mentioned in the specification. In response, the Applicants have amended Figure 5D to include the reference numeral 522, indicating a trough that separates first and second supports 520 and 518, in accordance with paragraph [0024] of the specification. Accordingly, the Applicants respectfully request that the objection to Figure 5D be withdrawn.

**CLAIM REJECTIONS****A. 35 U.S.C. §102(b)****Claims 1, 3, 6-14, 16 and 18-20*****Katahara et al. (JP)***

Claims 1, 3, 6-14, 16 and 18-20 stand rejected as being unpatentable over Japanese Patent No. 2000163859, published June 16, 2000 to *Katahara et al.* (hereinafter referred to as "*Katahara (JP)*"). For the reasons discussed below, the Applicants respectfully disagree with the Examiner's conclusion.

*Katahara (JP)* was published on June 16, 2000, and thus functions as a bar (as a §102(b) publication) against all patents effectively filed more than one

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year after the publication date, i.e., against all patents filed on June 16, 2001 or later (MPEP §706.02; 35 USC §102(b)). The present application claims priority to United States Provisional Patent Application No. 60/247,096, which was filed on November 9, 2000. Thus, the effective filing date of the present application is less than one year after the publication date of the *Katahara (JP)* reference.

Thus, the Applicants respectfully submit that *Katahara (JP)* is not an effective §102(b) reference as applied to the present application, and that claims 1, 3, 6-14, 16 and 18-20 are therefore patentable over *Katahara (JP)*. Accordingly, the Applicants respectfully request that the rejection of claims 1, 3, 6-14, 16 and 18-20 under *Katahara (JP)* be withdrawn.

**B. 35 U.S.C. §102(e) Claims 1, 3, 6-14, 16 and 18-20**  
***Katahara et al. (US)***

**1. Claims 1, 3 and 6-10**

Claims 1, 3 and 6-10 stand rejected as being unpatentable over United States Patent No. 6,407,882, issued June 18, 2002 to *Katahara et al.* (hereinafter referred to as "*Katahara (US)*"). In response, the Applicants have amended independent claim 1, from which claims 3 and 6-10 depend, to more clearly recite aspects of the invention.

*Katahara (US)* does not teach, show or suggest all of the limitations of independent claim 1 as amended. *Katahara (US)* teaches a spindle motor having a hub supported upon a shaft for rotation. The shaft is supported by and extends upward from a base. Rotation of the hub is induced by interaction of a magnet (fixed to the hub) with a stator (supported on the base). The stator comprises a stack of annular laminates having a plurality of teeth extending radially outward therefrom, and a plurality of coils wound around the teeth. A support column extends upward from the center of the base and comprises a step upon which an inner circumference of the stator is supported. A pedestal disposed radially outward from the support column is positioned to support an outer circumference of the stator (i.e., either the stator coils or the stator's teeth).

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Specifically, the pedestal has a receiving surface upon which the outer circumference is supported or to which the stator is fixed, for example by adhesive.

*Katahara (US)* does not teach, show or suggest a structure or shape for the receiving surface of the pedestal upon which the outer circumference of the stator is supported. Furthermore, the accompanying figures do not illustrate or suggest that the receiving surface is anything other than a smooth surface to which the stator may be fixed by adhesive. Therefore, *Katahara (US)* does not teach, show or suggest a first support member abutting a first portion of the stator and a second support member abutting a second portion of the stator, wherein at least one of the first and second support members is slotted, as recited by independent claim 1 as amended.

Thus, independent claim 1, and claims 3 and 6-10 that depend therefrom, are patentable over *Katahara (US)*. Accordingly, the Applicants respectfully request that the rejection of claims 1, 3 and 6-10 be withdrawn.

## 2. Claim 11

Claim 11 stands rejected as being unpatentable over United States Patent *Katahara (US)*. In response, the Applicants have amended independent claim 11 to more clearly recite aspects of the invention.

*Katahara (US)* does not teach, show or suggest all of the limitations of claim 11 as amended. *Katahara (US)* has been discussed above. *Katahara (US)* does not teach, show or suggest at least two support members for supporting a stator, wherein at least one of the support members is slotted, as recited by independent claim 11 as amended.

Thus, independent claim 11 is patentable over *Katahara (US)*. Accordingly, the Applicants respectfully request that the rejection of claim 11 be withdrawn.

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**3. Claims 12-14, 16 and 18-20**

Claims 12-14, 16 and 18-20 stand rejected as being unpatentable over "*Katahara (US)*". In response, the Applicants have amended independent claim 12, from which claims 13-14, 16 and 18-20 depend, to more clearly recite aspects of the invention.

*Katahara (US)* does not teach, show or suggest all of the limitations of independent claim 12 as amended. *Katahara* has been discussed above. *Katahara (US)* does not teach, show or suggest a first support means for supporting a first portion of a stator and a second support means for supporting a second portion of the stator, wherein at least one of the first and second support means is slotted, as recited by independent claim 1 as amended.

Thus, independent claim 12, and claims 13-14, 16 and 18-20 that depend therefrom, are patentable over *Katahara (US)*. Accordingly, the Applicants respectfully request that the rejection of claims 12-14, 16 and 18-20 be withdrawn.

**C. 35 U.S.C. §103(a)****Claims 2, 4-5, 15 and 17*****Katahara (US)* in view of *Pelstring***

Claims 2, 4-5, 15 and 17 stand rejected as being unpatentable over *Katahara (US)* in view of United States Patent Application No. 6,104,570, issued August 15, 2000 to *Pelstring* (hereinafter referred to as "*Pelstring*"). For the reasons discussed below, the Applicants respectfully disagree with the Examiner's conclusion.

*Katahara (US)* has been discussed above. As both *Pelstring* and the present application were, at the time the invention of the present application was made, owned by, or subject to an obligation of assignment to, Seagate Technology LLC, the Applicants have filed herewith a Statement of Common Ownership in the instant case. As such, Applicants respectfully request that the rejection of claims 2, 4-5, 15 and 17 over *Katahara (US)* in view of *Pelstring* be withdrawn. (MPEP §706.02(I)(3)).

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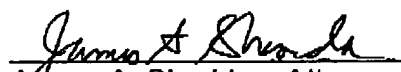
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**CONCLUSION**

The Applicants submit that all claims now pending are in condition for allowance. Accordingly, both reconsideration of this application and swift passage to issue are earnestly solicited.

If the Examiner believes that any unresolved issues still exist, it is requested that the Examiner telephone James Sheridan at (650) 330-2310 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

  
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